



DOCKET NO. 7732-022-27

JUL 20 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:** Beth P. GOLDSTEIN, et al.

**ART UNIT:** 1631

**SERIAL NO.:** 09/120,030

**EXAMINER:** Michael L. Borin

**FILING DATE:** July 21, 1998

**RCE FILING**

**DATE:** November 26, 2003

**FOR:** METHOD FOR THE TREATMENT OF STAPHYLOCOCCAL DISEASE

**REQUEST FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

It is hereby requested that a  one  two  three  four  five

second  third  fourth  fifth (a \_\_\_\_\_-month extension and fee having been filed on \_\_\_\_\_)

month extension of time be granted to July 20, 2004 for:

- filing a response to the Official Action dated: February 20, 2004
- responding to the requirements in the Notice of Allowability dated:
- filing the Formal Drawings. The Issue Fee due has been timely filed.
- responding to the Notice to File Missing Parts of Application dated:
- filing a Notice of Appeal. A timely response to the final rejection, due has been filed.
- filing an Appeal Brief. A Notice of Appeal was filed on:

The required fee of \$210.00 is enclosed herewith by check and any further charges may be made against the Attorney of Record's Deposit Account No. 50-1442. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP



Steven B. Kelber  
Registration No. 30,073  
Attorney of Record

07/21/2004 EFLORES 00000028 09120030

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210.00 OP

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## FEE TRANSMITTAL

|                                |  |                |                           |                  |
|--------------------------------|--|----------------|---------------------------|------------------|
|                                |  | Docket No.     | 7732-022-27               |                  |
|                                |  | Serial No.     | 09/120,030                |                  |
|                                |  | Filing Date    | July 21, 1998             |                  |
|                                |  | Inventor(s)    | Beth P. GOLDSTEIN, et al. |                  |
|                                |  | Group Art Unit | 1631                      |                  |
| <b>TOTAL AMOUNT OF PAYMENT</b> |  | \$210.00       | Examiner                  | Michael L. Borin |

|   |          |              |          |  |       |        |          |                                    |          |                         |          |  |          |                               |
|---|----------|--------------|----------|--|-------|--------|----------|------------------------------------|----------|-------------------------|----------|--|----------|-------------------------------|
| <p>1. <input checked="" type="checkbox"/> Applicant claims small entity status.</p> <p><input type="checkbox"/> Charge any <b>UNDERPAYMENT</b> or credit any <b>OVERPAYMENT</b> in the indicated fees to Deposit Account No. 50-1442.</p> <p><input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.</p> |          |              |          |  |       |        |          | <b>FEE CALCULATION (continued)</b> |          |                         |          |  |          |                               |
|   |          |              |          |  |       |        |          | <b>3. ADDITIONAL FEES</b>          |          |                         |          |  |          |                               |
|   |          |              |          |  |       |        |          | Large Entity                       |          | Small Entity            |          | Fee Description                                      |          |                               |
| <p>2. <input checked="" type="checkbox"/> Check enclosed.</p> <p><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p>   |          |              |          |  |       |        |          | Fee Code                           | Fee (\$) | Fee Code                | Fee (\$) | Fee Description                                      | Fee Paid |                               |
|   |          |              |          |  |       |        |          | 1051                               | 130      | 2051                    | 65       | Surcharge-late filing fee or oath                    |          |                               |
|   |          |              |          |  |       |        |          | 1052                               | 50       | 2052                    | 25       | Surcharge-late provisional filing fee or cover sheet |          |                               |
| Large Entity  |          | Small Entity |          | Fee Description  |       |        |          |                                    |          |                         |          |  |          |                               |
| Fee Code  | Fee (\$) | Fee Code     | Fee (\$) |  |       |        | Fee Paid | 1251                               | 110      | 2251                    | 55       | 1-mo. ext. of time                                   |          |                               |
| 1001  | 770      | 2001         | 385      | Utility filing fee                                       |       |        |          | 1252                               | 420      | 2252                    | 210      | 2-mo. ext. of time                                   | 210.00   |                               |
| 1002  | 340      | 2002         | 170      | Design filing fee  |       |        |          | 1253                               | 950      | 2253                    | 475      | 3-mo. ext. of time                                   |          |                               |
| 1003  | 520      | 2003         | 260      | Plant filing fee   |       |        |          | 1254                               | 1480     | 2254                    | 740      | 4-mo. ext. of time                                   |          |                               |
| 1004  | 770      | 2004         | 385      | Reissue filing fee                                       |       |        |          | 1255                               | 2010     | 2255                    | 1005     | 5-mo. ext. of time                                   |          |                               |
| 1005  | 160      | 2005         | 80       | Provisional filing fee                                   |       |        |          | 1401                               | 330      | 2401                    | 165      | Notice of Appeal                                     |          |                               |
|   |          |              |          | <b>SUBTOTAL (1)</b>                                      |       | \$0.00 |          | 1402                               | 330      | 2402                    | 165      | Appeal Brief   |          |                               |
| <p><b>2. EXTRA CLAIM FEES</b></p>   |          |              |          |  |       |        |          | 1403                               | 290      | 2403                    | 145      | Request for Oral Hearing                             |          |                               |
| tot. claims   |          | 23           | -        | 67*  | =     | 0      | x \$9    | =                                  | 0        | 1501                    | 1330     | 2501   | 665      | Utility/Reissue Issue Fee     |
| ind. claims   |          | 3            | -        | 4*   | =     | 0      | x \$43   | =                                  | 0        | 1502                    | 480      | 2502   | 240      | Design Issue Fee              |
| <input type="checkbox"/> Multiple Dependent Claims  |          |              |          |  | \$145 | =      |          | 1504                               | 300      | 1504                    | 300      | Publication Fee                                      |          |                               |
| Large Entity  |          | Small Entity |          | Fee Description  |       |        |          |                                    |          | 8001                    | 3        | 8001   | 3        | Advance Copy of Patent        |
| Fee Code  | Fee (\$) | Fee Code     | Fee (\$) |  |       |        |          |                                    |          | 1460                    | 130      | 1460   | 130      | Petitions to the Commissioner |
| 1202  | 18       | 2202         | 9        | Claims in excess of 20                                   |       |        |          |                                    |          | 1806                    | 180      | 1806   | 180      | IDS Submission                |
| 1201  | 86       | 2201         | 43       | Independent claims in excess of 3                        |       |        |          |                                    |          | 8021                    | 40       | 8021   | 40       | Assignment recordation        |
| 1203  | 290      | 2203         | 145      | Multiple dependent claim, if not paid                    |       |        |          |                                    |          | 1801                    | 770      | 2801   | 385      | For Filing RCE                |
| 1204  | 84       | 2204         | 43       | *Reissue independent claims over original patent         |       |        |          |                                    |          | 1814                    | 110      | 2814   | 55       | Terminal Disclaimer           |
| 1205  | 18       | 2205         | 9        | *Reissue claims in excess of 20 and over original patent |       |        |          |                                    |          | OTHER (indicate below): |          |  |          |                               |
|   |          |              |          | <b>SUBTOTAL (2)</b>                                      |       | \$0.00 |          |                                    |          |                         |          |  |          |                               |
| * or number previously paid, if greater; For Reissues, see above  |          |              |          |  |       |        |          | <b>SUBTOTAL (3)</b>                |          |                         |          |  | \$210.00 |                               |

|           |                        |  |  |                  |               |        |           |              |
|-----------|------------------------|--|--|------------------|---------------|--------|-----------|--------------|
| Name      | Steven B. Keiper       |  |  | Registration No. |               | 30,073 |           |              |
| Signature |                        |  |  | Date             | July 20, 2004 |        | Telephone | 202-861-3900 |
| Name      | Christopher W. Raimund |  |  | Registration No. |               | 47,258 |           |              |